



CAFO
INSPECTION REPORT
INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

Inspector's Name:	
Other's Present	
Date:	
Time In:	
Time Out:	

General Information

Inspection Type

Inspection Type	
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Facility Information

Facility Name	
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Facility Location	Street Address City/State Zip Code S County
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Facility Mailing Information	Mailing Address Mailing City/State Mailing Zip Code
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Facility Contact Information	Contact Person Contact's Phone Number Contact's Fax Number Contact's E-mail Address
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Owner's Contact Information	Owner's Name Owner's Phone Number Owner's Fax Number Owner's E-mail Address
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Facility ID

I-FRS ID	
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NPDES Permit	
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Animal Types

Animals Present	
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Manure Management Systems

Type of Manure Management System	
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Approved Structures

Number of Permitted Structures	
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Number of Observed Structures	
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Outstanding Issues

Last Inspection Date	
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Previous Violations	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Previous Violations:	
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Checklist

Discharge and Spill Requirements <input type="checkbox"/> Unpermitted Discharge <input type="checkbox"/> Water Quality Violation <input type="checkbox"/> Spill Not Reported <input type="checkbox"/> Spills Not Managed	Permit and Performance Standards <input type="checkbox"/> No Valid Approval <input type="checkbox"/> Access Denied <input type="checkbox"/> Notice of Changes <input type="checkbox"/> Permit Condition(s)
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<input type="checkbox"/> Non-Compliance Not Reported <input type="checkbox"/> Discharge of Process Wastewater	
Operational Standards <input type="checkbox"/> Maintenance and Operation <input type="checkbox"/> Direct Access to Waters of State <input type="checkbox"/> Manure Transfer Vehicle <input type="checkbox"/> Improper Freeboard <input type="checkbox"/> Freeboard Markers <input type="checkbox"/> Weekly Self Monitoring <input type="checkbox"/> Daily Water Line Monitoring <input type="checkbox"/> Deficiencies Corrected <input type="checkbox"/> Unapproved Storage <input type="checkbox"/> Adequate Storage <input type="checkbox"/> Earthen Berm Not Maintained <input type="checkbox"/> Dead Animal Disposal <input type="checkbox"/> Spill Plan <input type="checkbox"/> Storm Water Pollution Prevention Plan	Land Application <input type="checkbox"/> Land Application Requirements Were Inspected. <input type="checkbox"/> Staging <input type="checkbox"/> Run-Off <input type="checkbox"/> Manure Applied to Saturated Soils <input type="checkbox"/> Manure Applied in Unsuitable Weather <input type="checkbox"/> Dead Animal Compost Properly Applied <input type="checkbox"/> Follow Soil Conservation Practice Plan <input type="checkbox"/> Manure Application Setback <input type="checkbox"/> Manure Applied from Roadway <input type="checkbox"/> Manure Improperly Applied to Erodible Soils <input type="checkbox"/> Field Tile Monitoring <input type="checkbox"/> Spray Irrigation > Infiltration Rates <input type="checkbox"/> Spray Irrigation Operation <input type="checkbox"/> Spray Irrigation (<20" bedrock) <input type="checkbox"/> Spray Irrigation (flood plain) <input type="checkbox"/> Snow Covered/Frozen Ground
Operating Record <input type="checkbox"/> Records Maintained 5 Years <input type="checkbox"/> Approvals <input type="checkbox"/> Annual Reports <input type="checkbox"/> Final Design or As-Built Drawings <input type="checkbox"/> Compliance with 327 IAC 5-2-14 <input type="checkbox"/> Emergency Spill Plan <input type="checkbox"/> Farmstead Plan <input type="checkbox"/> Storm Water Pollution Prevention Plan <input type="checkbox"/> SWPPP Contents <input type="checkbox"/> SWPPP Monitoring Plan	Land Application Records <input type="checkbox"/> Land Application Records <input type="checkbox"/> Annual Manure Testing <input type="checkbox"/> Soil Testing <input type="checkbox"/> Apply at Agronomic Rate <input type="checkbox"/> Marketing & Distribution <input type="checkbox"/> Information Sheets (as applicable) <input type="checkbox"/> Required Minimum Acreage <input type="checkbox"/> Setback Waivers <input type="checkbox"/> USDA Soil Survey Maps <input type="checkbox"/> Soil Conservation Practice Plan
General Comments	
Description of Violations and Further Actions	
Discharge and Spill Requirements Unpermitted Discharge IC 13-18-4-5: A person may not: (1) throw, run, drain, or otherwise dispose into any of the streams or waters of Indiana; or (2) cause, permit, or suffer to be thrown, run, drained, allowed to seep, or otherwise disposed into any waters; any organic or	

inorganic matter that causes or contributes to a polluted condition of any waters, as determined by a rule of the board adopted under sections 1 and 3 of this chapter.

IC 13-30-2-1: A person may not do any of the following: (1) Discharge, emit, cause, allow, or threaten to discharge, emit, cause, or allow any contaminant or waste, including any noxious odor, either alone or in combination with contaminants from other sources, into: (A) the environment; in any form that causes or would cause pollution that violates or would violate rules, standards, or discharge or emission requirements adopted by the appropriate board under the environmental management laws. (2) Increase the quantity or strength of a discharge of contaminants into the waters of Indiana without prior approval of the department. (3) Deposit any contaminants upon the land in a place and manner that creates or would create a pollution hazard that violates or would violate a rule adopted by one (1) of the boards.... (7) Construct, install, operate, conduct, or modify, without prior approval of the department, any equipment or facility of any type that may: (A) cause or contribute to pollution; or (B) be designed to prevent pollution.

327 IAC 5-2-2: Any discharge of pollutants into waters of the state as a point source discharge, except for exclusions made in 327 IAC 5-2-4, is prohibited unless in conformity with a valid NPDES permit obtained prior to the discharge.

Permit Operating Requirements Condition Number:

Required Action: Cease any discharge not covered by a permit.

Water Quality Violation

327 IAC 2-1-6: The following are minimum surface water quality conditions: (1) All surface waters at all times and at all places, shall meet the minimum conditions of being free from substances, attributable to agricultural discharges that do any of the following: (A) Will settle to form putrescent or otherwise objectionable deposits. (B) Are in amounts sufficient to be unsightly or deleterious (C) Produce color, odor, or other conditions in such degree as to create a nuisance. (D) Are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

327 IAC 15-15-4(f): Any discharges by operations permitted under this rule are required to meet water quality standards under 327 IAC 5.

Permit Operating Requirements Condition Number:

Required Action: Cease all discharges that have created a water quality violation.

Spill Not Reported

327 IAC 2-6.1-5: The following spills from a facility must be reported: (1) Spills that damage waters of the state so as to cause death or acute injury or illness to humans or animals. (2) Spills from a facility that has been notified in writing by a water utility that is located in a delineated public water supply wellhead protection area as approved by the department under 317 IAC 8-4.1 that are: (C) Spills of objectionable substances as defined in section 4(11) of this rule. (3) Spills that damage waters of the state and that: (A) Are located within fifty (50) feet of a known private drinking water well located beyond the facility property boundary; or (B) Are located within 100 yards of: (i) Any high quality water designated as an outstanding state resource pursuant to 327 IAC 2-1-2(3), excluding Lake Michigan; (ii) Any water designated as exceptional use pursuant to 327 IAC 2-13(a)(6) and 327 IAC 2-1-11(b); (iii) Any water designated as capable of supporting a salmonid fishery pursuant to 327 IAC 2-1-6(c)(1), except Lake Michigan; or (vi) Any water that is a fish hatchery, fish and wildlife area, nature preserve, or recreational water owned by the department of natural resources or the federal government. (4) For any spill which does not meet the criteria in subdivisions (1) through (3), the following must be reported... (iii) spills of objectionable substances to surface waters of soils. (5) Any spill for which a spill response has not been done.

327 IAC 2-6.1-6: The following spills from a mode of transportation must be reported: (1) Spills that damage the waters of the state so as to cause death or acute injury or illness to humans or animals. (2) Spills that damage surface waters. (3) Spills to soil... (4) Any spill for which a spill response has not been done.

327 IAC 2-6.1-7(3): Any person who operates, controls, or maintains any mode of transportation or facility from which a spill occurs shall, as soon as possible, but within two (2) hours of discovery, communicate a spill report to the Department of Environmental Management.

Permit Operating Requirements Condition Number:

Required Action: Any reportable spill must be reported. The language in 327 IAC 2-6.1-5(4) makes it clear that manure can be an objectionable substance simply by being on the ground. (It is not automatically a reportable spill, but it could be if damage to water is threatened.) The language in 327 IAC 2-6.1-5(5) also means any spill where an adequate response is not conducted automatically becomes reportable.

Required Action: Any reportable spill must be reported to the spill line within 2 hours of discovery of the spill.

Required Action: If new or updated information indicating an increased likelihood of damage to waters of the state becomes known, it must be reported to the spill line within 2 hours of discovery.

Spills Not Managed

327 IAC 2-6.1-7: Any person who operates, controls, or maintains any mode of transportation or facility from which a spill occurs shall, upon discovery of a reportable spill to the soil or surface waters of the state, do the following: (1) Contain the

spill, if possible, to prevent additional spilled material from entering the waters of the state. (2) Undertake or cause others to undertake activities needed to accomplish a spill response. (3) As soon as possible, but within two (2) hours of discovery, communicate a spill report to the Department of Environmental Management. If new or updated spill report information becomes known that indicates a significant increase in the likelihood of damage to the waters of the state, the responsible party shall notify the department as soon as possible but within two (2) hours of the time the new or updated information becomes known. (4) Submit to the Indiana Department of Environmental Management, Office of Land Quality, Emergency Response Section (MC 66-30), 2525 N. Shadeland Ave., Suite 100, Indianapolis, IN 46219-1787, a written copy of the spill report if requested in writing by the department. (5) Except from modes of transportation other than pipelines, exercise due diligence and document attempts to notify the following: (A) For spills to surface water that cause damage, the nearest affected downstream water user located within ten (10) miles of the spill and in the state of Indiana; and (B) For spills to soil outside the facility boundary, the affected property owner or owners, operator or operators, or occupant or occupants. 327 IAC 15-4-1(d): Persons in violation of this article shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from their noncompliance.

Permit Operating Requirements Condition Number:

Required Action: Once the owner/operator becomes aware of the spill, immediate steps must be taken to contain the spill and undertake a spill response.

Required Action: The owner/operator must submit a written spill report after receiving a written request to do so.

Required Action: The owner/operator must notify or document they attempted to notify the nearest downstream water user or other affected parties.

Non-Compliance Not Reported

327 IAC 15-4-3(c): The following are requirements for twenty-four (24) hour reporting: (1) Persons regulated by this article shall orally report information to the office of water quality at (317) 232-8670 on the following types of noncompliance within one (1) business day from the time the person becomes aware of such noncompliance: (A) Any unanticipated bypass which exceeds any effluent limitation in the applicable general permit rule. (B) Violation of a maximum daily discharge limitation for any of the pollutants listed by the commissioner in the rule to be reported within one (1) business day. (C) Any noncompliance which may pose a significant danger to human health or the environment. (2) A written submission shall also be provided to the office of enforcement within five (5) business days of the time the person becomes aware of the circumstances. The written submission shall contain the following: (A) A description of the noncompliance and its cause. (B) The period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue. (C) Steps taken or planned to reduce and eliminate the noncompliance and prevent its recurrence. The commissioner may waive the written report on a case-by-case basis if the oral report has been received within one (1) business day.

327 IAC 15-4-3(d): Persons regulated under this article shall report any instance of noncompliance not reported under subsection (c) at the time the pertinent discharge monitoring report is submitted. The report shall contain the information specified under subsection (c)(2).

327 IAC 15-4-3(e): Where the person becomes aware that he failed to submit any relevant facts, or submitted incorrect information in a NOI letter or in any report to the commissioner, the person shall promptly submit such facts or corrected information.

327 IAC 15-4-3(f): Persons regulated under this article shall notify the commissioner as soon as they know, or have reason to believe, the following: (1) That any activity has occurred, or will occur, which would result in the discharge of any pollutant... if that discharge will exceed a level established elsewhere in the rule by the commissioner. (2) That it has begun, or expects to begin, to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NOI letter.

Permit Operating Requirements Condition Number:

Required Action: The owner/operator of a regulated facility must contact the agency when a discharge of a pollutant occurs.

Discharge of Process Wastewater

327 IAC 15-15-4(d): There shall be no discharge of process wastewater pollutants to waters of the state, except as described in subsection (e). Pumping, dumping, or allowing the leakage or drainage of manure, litter, or process wastewater from a manure transfer vehicle onto unauthorized premises, public thoroughfares, or into waters of the state is also prohibited.

Permit Operating Requirements Condition Number:

Required Action: All CAFOs must meet water quality standards, even if a discharge is covered by the permit (i.e., agricultural storm water or catastrophic overflow).

Operational Standards

Maintenance and Operation

327 IAC 5-2-8(8): The permittee shall at all times maintain in good working order and efficiently operate all facilities and

systems (and related appurtenances) for collection and treatment that are: (A) installed or used by the permittee; and (B) necessary for achieving compliance with the terms and conditions of the permit.

327 IAC 15-4-2(a): Persons regulated by this article shall, at all times, maintain in good working order and efficiently operate all facilities and systems (and related appurtenances) for collection and treatment which are installed or used by the person and which are necessary for achieving compliance with the terms and conditions of this article.

327 IAC 15-15-4(a): All waste management systems must be designed, constructed, and maintained to minimize leaks and seepage and prevent spills.

327 IAC 15-15-10(a): All manure, litter, and process wastewater management systems must be properly maintained and operated to meet the conditions set forth under this general permit rule.

Permit Operating Requirements Condition Number:

Required Action: Process wastewater systems must be constructed, maintained and operated properly.

Required Action: Deficiencies noted on the self monitoring inspections have not been corrected. Any deficiency noted on the self monitoring inspection must be corrected.

Required Action: Waste materials other than manure, litter, or process wastewater have been placed into the pit OR lagoon.

All wastes other than manure, litter, or process wastewater must be removed from the pit OR lagoon and disposed of properly.

Direct Access to Waters of State

327 IAC 15-15-4(c): Animals in any confinement area must not have direct access to waters of the state.

Permit Operating Requirements Condition Number:

Required Action: All animals' must be removed from areas where direct access to waters of the State is possible or barriers must be constructed to prevent animals direct access to waters of the State.

Manure Transfer Vehicle

327 IAC 15-15-4(d): There shall be no discharge of process wastewater pollutants to waters of the state, except as described in subsection (e). Pumping, dumping, or allowing the leakage or drainage of manure, litter, or process wastewater from a manure transfer vehicle onto unauthorized premises, public thoroughfares, or into waters of the state is also prohibited.

Permit Operating Requirements Condition Number:

Required Action: Process wastewater has been discharged to waters of the State. You must immediately cease and desist the discharge of process wastewater to waters of the State.

Required Action: Process wastewater has been discharged to waters of the State. You must immediately cease and desist the discharge of process wastewater to waters of the State.

Required Action: Manure has leaked from the manure transfer vehicle onto the road, unauthorized property, or into waters of the State. You must collect all leaked manure from the road and dispose of properly. In addition, the leak in the manure transfer vehicle must be repaired.

Required Action: Manure has leaked from the pipe OR hose onto the road, unauthorized property, or into waters of the State as it was being transferred from the lagoon OR pit OR tanker. You must collect all leaked manure and dispose of properly. In addition the leak in the pipe OR hose must be repaired.

Improper Freeboard

327 IAC 15-15-4(i)(2): For new source veal, swine, and poultry CAFOs, the following requirements apply to the production areas of the CAFO as of the date of permit coverage waste management and storage facilities must be designed, constructed, operated and maintained to contain all manure, litter, and process wastewater and, if applicable, run-off and the direct precipitation from a one hundred (100) year, twenty-four (24) hour rainfall event.

327 IAC 15-15-10(e): Liquid manure storage structures and process wastewater storage structures that are open must be maintained with a minimum freeboard of two (2) feet and must have clearly identified markers to indicate the following: (1) Manure and process wastewater levels relative to the approved freeboard elevation. (2) Except as provided in (3) [subdivision (3)], the minimum capacity necessary to contain the run-off and direct precipitation of the twenty-five (25) year, twenty-four (24) hour rainfall event. (3) For new source swine, poultry, and veal operations, the minimum capacity necessary to contain the direct precipitation and run-off from a one hundred (100) year, twenty-four (24) hour rainfall event.

Permit Operating Requirements Condition Number:

Required Action: The owner/operator must provide adequate freeboard to contain the one-hundred (100) year, twenty-four (24) hour rainfall event in the lagoon or uncovered manure storage structure. Must remove and properly land apply enough manure from the lagoon OR uncovered manure storage structure to maintain the required freeboard.

Required Action: There is currently less than two (2) feet of freeboard in the lagoon, uncovered manure storage structure or process wastewater storage structure. You must remove and properly land apply enough manure from the lagoon, or uncovered manure storage structure, or process wastewater storage structure to maintain a minimum of two (2) feet of freeboard.

Required Action: A freeboard marker is not present in the lagoon, or uncovered manure storage structure, or process wastewater storage structure. You must install a freeboard marker which clearly identifies the approved freeboard level.

Freeboard Markers

327 IAC 15-15-4(g)(2): New source and existing dairy, heifer, horse, duck, veal, swine, poultry, cattle other than mature dairy cows, and sheep CAFOs must install a depth marker in all open surface liquid impoundments that indicates the minimum capacity necessary to contain the run-off and direct precipitation of the twenty-five (25) year, twenty-four (24) hour rainfall event, or two (2) feet of freeboard, whichever is greater.

327 IAC 15-15-4(i)(3): For new source veal, swine, and poultry CAFOs, the production areas must be operated in accordance with the requirements of subsections (g)(4) through (g)(8) of this section. Additionally, sources must install a depth marker in all open surface liquid impoundments that indicates the minimum capacity necessary to contain the run-off and direct precipitation of a one hundred (100) year, twenty-four (24) hour rainfall event, or two (2) feet of freeboard, whichever is greater.

327 IAC 15-15-10(e): Liquid manure storage structures that are open and process wastewater storage structures that are open must be maintained with a minimum freeboard of two (2) feet and must have clearly identified markers to indicate the following: (1) Manure and process wastewater levels relative to the approved freeboard elevation. (2) Except as provided in (3), the minimum capacity necessary to contain the run-off and direct precipitation of the twenty-five (25) year, twenty-four (24) hour rainfall event. (3) For new source swine, poultry, and veal operations, the minimum capacity necessary to contain the direct precipitation and run-off from a one hundred (100) year, twenty-four (24) hour rainfall event.

Permit Operating Requirements Condition Number:

Required Action: A freeboard marker is not installed in the lagoon, or uncovered manure storage structure, or process wastewater storage structure. You must install a freeboard marker which indicates the run-off and direct precipitation from the twenty-five (25) year, twenty-four (24) hour rainfall event or two (2) feet of freeboard, whichever is greater.

Required Action: A depth marker is not installed in the open surface liquid impoundment. You must install a depth marker which indicates the minimum capacity to contain the direct run-off and precipitation from the one-hundred (100) year, twenty-four (24) hour rainfall event, or two (2) feet of freeboard, whichever is greater.

Required Action: Weekly inspections must be conducted and documented of storm water diversion devices; run-off diversion devices; devices channeling contaminated storm water to process wastewater and/or manure storage structures; manure, litter, and process wastewater impoundments noting the level as indicated by the depth marker.

Required Action: Daily inspection of all water lines in and around the production areas must be conducted and noted.

Required Action: Deficiencies discovered during any self monitoring inspection must be corrected.

Required Action: Maintain in the operating record for five (5) years the following records: Records documenting self inspection; Weekly records of the depth of manure and process wastewater in the open surface liquid impoundment as indicated by the depth marker; Records of actions to correct deficiencies, with an explanation for deficiencies not corrected within thirty (30) days; Mortality management practices; Records documenting the current design of storage structures; Records of date and time and estimated amount of any overflow.

Required Action: A freeboard marker is not present in the lagoon, or uncovered manure storage structure, or process wastewater storage structure. You must install a freeboard marker which clearly identifies the approved freeboard level.

Weekly Self Monitoring

327 IAC 15-15-4(g)(4): New source and existing dairy, heifer, horse, duck, veal, swine, poultry, cattle other than mature dairy cows, and sheep CAFOs must conduct weekly visual inspections of all of the following: (A) Storm water diversion devices. (B) Run-off diversion devices. (C) Devices channeling contaminated storm water to the process wastewater and manure storage structure. (D) Manure, litter, and process wastewater impoundments, noting the level in open surface liquid impoundments as indicated by the depth marker.

327 IAC 15-15-10(f): The owner or operator shall inspect all manure, litter, and process wastewater management systems for compliance with this rule at least one (1) time each week. Completed self-monitoring records must be kept in the operating record described in section 17 of this rule.

Permit Operating Requirements Condition Number:

Required Action: Weekly self monitoring inspections are not being conducted or documented. Weekly inspections must be conducted and documented of storm water diversion devices; run-off diversion devices; devices channeling contaminated storm water to process wastewater and/or manure storage structures; manure, litter, and process wastewater impoundments noting the level as indicated by the depth marker.

Required Action: Weekly self monitoring inspections are not being conducted or documented. You must inspect all manure, litter, and process wastewater management systems weekly. Self monitoring records must be kept in the Farm Record.

Daily Water Line Monitoring

327 IAC 15-15-4(g)(5): New source and existing dairy, heifer, horse, duck, veal, swine, poultry, cattle other than mature dairy cows, and sheep CAFOs must conduct daily inspection of all water lines that may come in contact with or impact manure, litter, or process wastewater in and around the production area. Such lines include drinking water lines for livestock.

Permit Operating Requirements Condition Number:

Required Action: Daily water line inspections are not being conducted or documented. Daily inspection of all water lines in and around the production areas must be conducted and noted.

Deficiencies Corrected

327 IAC 15-15-4(g)(6): New source and existing dairy, heifer, horse, duck, veal, swine, poultry, cattle other than mature dairy cows, and sheep CAFOs must correct any deficiencies found in inspections as soon as possible.

Permit Operating Requirements Condition Number:

Required Action: Deficiencies discovered during self monitoring inspections are not being corrected or not corrected in a timely manner. Deficiencies discovered during any self monitoring inspection must be corrected.

Unapproved Storage

327 IAC 15-15-10(c): Manure, litter, and process wastewater must be in an approved storage structure until removed for land application.

Permit Operating Requirements Condition Number:

Required Action: Manure, litter, or process wastewater is being stored outside of an approved storage structure. You must collect all manure, litter, or process wastewater that is outside of an approved storage structure and either properly land apply it or return it to the approved storage structure.

Adequate Storage

327 IAC 15-15-10(c): Manure, litter, and process wastewater must be in an approved storage structure until removed for land application.

Permit Operating Requirements Condition Number:

Required Action: Adequate storage is not being maintained for manure, litter or process wastewater to prevent a storage structure from overflowing. You must provide and maintain adequate storage for manure, litter process wastewater.

Earthen Berm Not Maintained

327 IAC 15-15-10(g): All earthen berms for manure, litter, and process wastewater storage structures must: (1) be stabilized with vegetation or alternative erosion control measures; and (2) be maintained to allow for visual inspection.

Permit Operating Requirements Condition Number:

Required Action: Earthen berms are not being properly maintained as evidenced by inadequate vegetation; inadequate erosion control; woody vegetation is growing on the berm; small animal burrows are present; vegetation not mowed to allow proper visual inspection or significant erosion on the inside of the berm due to wave action. Deficiencies in the berm must be corrected.

Dead Animal Disposal

327 IAC 15-15-10(h): Dead animal compost operations must have run-on and run-off control. Dead animal compost may be applied to the land if applied in accordance with the land application requirements in this rule. Disposal of dead animals must be handled in accordance with the rules of the board of animal health at 345 IAC 7-7-3.

327 IAC 15-15-4(g)(7): New source and existing dairy, heifer, horse, duck, veal, swine, poultry, cattle other than mature dairy cows, and sheep CAFOs must not dispose of mortalities in a liquid manure or process wastewater system. Mortalities must be handled in such a way as to prevent the discharge of pollutants to surface water.

345 IAC 7/345 IAC 7-7-3 Disposal methods: (a) Dead animals and condemned and inedible waste shall be disposed of by one (1) or more of the following methods: (1) Removal to a licensed disposal plant. (2) Burying the carcass or condemned and inedible waste on the owner's premises to a depth of four (4) feet or more, with a covering of at least four (4) feet of earth in addition to any other materials that may be used for covering. Burying a carcass or condemned and inedible waste in a location without the land owner's permission is prohibited (3) Thorough and complete incineration of the carcass or condemned and inedible waste. (4) Thorough and complete composting of the carcass or condemned and inedible waste in compliance with the standards in this rule. (5) By sale to a plant producing pet food under permit issued by the state veterinarian under IC 15-2.1-16-26. (b) A person may dispose of a dead animal or condemned and inedible waste by delivering the animal or waste to a facility approved by the state to operate as a landfill. But a person may not dispose of a dead animal or waste as described in this subsection if other state laws or local ordinances prohibit such activity. The operator of a landfill is not required by this rule to accept dead animals or condemned and inedible waste. (c) A person meets the disposal requirement in section 2(b) of this rule if they have arranged for a disposal plant or collection service to pick up the dead animal or animals, including a prearranged contract for ongoing periodic collection, even if the actual pick up by the disposal plant or collection service occurs after twenty-four (24) hours have passed. The person responsible for disposal shall take steps to prevent other animals from accessing the dead animals prior to pick-up. An authorized person may give

permission for a disposal plant or collection service to enter a premises as required under IC 15-2.1-16-19 and section 7(4) of this rule in any manner that communicates their intent, including placing an order to pick up a dead animal or entering into a prearranged contract for ongoing periodic collection. (d) No person may bury an animal or condemned and inedible waste within the corporate limits of any city or town if prohibited by a city or town ordinance. (e) A person applying for meat or poultry inspection or an exemption from inspection under IC 15-2.1-24 shall notify the state veterinarian in writing of the method by which the applicant will dispose of the dead animals and condemned and inedible waste from the establishment. If the establishment changes the method of disposal the owner must notify the state veterinarian in writing within fifteen (15) days of the change. (f) The state veterinarian may authorize or order that any particular animal or condemned and inedible waste, or any class of animal or waste, be disposed of in a particular manner, including a manner not listed in subsection (a), for the purpose of addressing an emergency, facilitating research, preventing the spread of disease, or protecting the public health.

Permit Operating Requirements Condition Number:

Required Action: The dead animal compost area does not have adequate run-on, run-off controls as evidenced by contaminated run-off outside of the compost area. You must provide proper run-on, run-off controls through the use of berms or proper grading.

Required Action: Dead animals must not be disposed of in an open liquid surface impoundment or a pit. All dead animals which have been placed in a pit or open liquid surface impoundment must be removed and disposed of properly.

Required Action: Dead animals are contributing to a discharge of pollutants. All dead animals must be disposed of properly immediately.

Required Action: Dead animal compost operations are not properly managed as evidenced by compost disturbed by domestic animals; compost disturbed by rodents or wild animals; compost leachate run-off or inadequate composting of the dead animals. You must properly manage the compost operations by restricting access by domestic animals, wild animals, rodents, control and eliminate compost leachate run-off, o thoroughly compost the dead animals before land application.

Spill Plan

327 IAC 15-15-16(a): The permittee shall comply with the following: (1) Develop an emergency spill response plan. (2) Maintain the emergency spill response plan in the operating record, required under section 17 of this rule. (3) Implement the emergency spill response plan at any time a spill occurs. (4) Familiarize all employees involved with manure, litter, or process wastewater handling with the emergency spill response plan. (5) Maintain the emergency spill response plan at the permitted facility in a place accessible to all employees.

Permit Operating Requirements Condition Number:

Required Action: A spill plan has not been prepared. You must prepare a spill plan and place it in the Farm record. You must also post the spill plan at the production area and familiarize all of your employees with the spill plan.

Storm Water Pollution Prevention Plan

327 IAC 15-15-18(a): The owner or operator shall comply with the following: (1) Develop a storm water pollution prevention plan. (2) Maintain the storm water pollution prevention plan in the operating record as required under section 17 of this rule. (3) Amend the storm water pollution prevention plan whenever: (A) There is a change in design, construction, operation or maintenance at the facility that will have or has the potential to have a significant effect on the potential for the discharge of pollutants; or (B) Written notice is received from the commissioner stating that the storm water pollution prevention plan has proved to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges. (b) The storm water pollution prevention plan shall: (1) Give a description of clean water diversion used at the facility for the production area, and any area which is directly related to animal production including waste and feed storage. (2) Describe and ensure implementation of practices to minimize and control pollutants in storm waste discharges associated with the following areas: (A) Immediate access roads and rail lines used or traveled by carriers of raw materials, waste material, or byproducts used or created by the facility. (B) Refuse sites. (C) Sites used for the storage and maintenance of material handling equipment. (D) Shipping and receiving areas. (3) Contain a monitoring plan that demonstrates the effectiveness of storm water pollution prevention practices.

Attachment 1- Stormwater Pollution Prevention Plan:

Required Action: A storm water pollution prevention plan has not been prepared. You must prepare a storm water pollution prevention plan and place it in the Farm Record.

Operating Record

Records Maintained 5 Years

327 IAC 15-15-4(g)(8): New source and existing dairy, heifer, horse, duck, veal, swine, poultry, cattle other than mature dairy cows, and sheep CAFOs must maintain, within the operating record required under section 17 of this rule, for a period of five (5) years from the date of creation, a complete copy of the following records: (A) Records documenting self-inspections. (B) Weekly records of the depth of manure and process wastewater in the open surface liquid impoundment, as indicated by the depth marker. (C) Records of actions taken to correct deficiencies. Deficiencies not corrected within thirty (30) days of

discovery must be accompanied by an explanation of the factors preventing immediate correction. (D) Records of mortality management and practices. (E) Records documenting the current design of any manure, litter, or process wastewater storage structures, including volume for solids accumulation, design treatment volume, total design volume, and approximate number of days of storage capacity. (F) Records of the date, time, and estimated amount of any overflow.

Permit Operating Requirements Condition Number:

Required Action: All records listed above must be present in the operating record for 5 years back; however, if a general permit has covered the facility for less than 5 years, the records must go back to the date of initial permit coverage.

Approvals

327 IAC 15-15-17(a)(1): All valid permits, modifications, and notifications must be included and maintained in the operating record and updated.

Permit Operating Requirements Condition Number:

Required Action: All relevant permit documents must be included in the operating record.

Annual Reports

327 IAC 15-15-17(a)(2): The current annual report information required under section 9 of this rule must be included and maintained in the operating record and updated.

Permit Operating Requirements Condition Number:

Required Action: The operating must contain a copy of the most recently filed annual report.

Final Design or As-Built Drawings

327 IAC 15-15-17(d): A copy of the final design drawings or the as-built plans of the waste management system must be included and maintained in the operating record.

327 IAC 15-15-17(g): The following must be included and maintained in the operating record: The waste management system drawing or plans must show detailed views and necessary cross sections to define all dimensions and construction materials. Complete and entire elevations must be provided for waste management systems relying on gravity flow.

Permit Operating Requirements Condition Number:

Required Action: The final design drawings or as-built plans must be present in the operating record and must contain all the required information.

Compliance with 327 IAC 5-2-14

327 IAC 15-15-9(f): The owner or operator shall maintain records of all monitoring information and monitoring activities as prescribed in 327 IAC 5-2-14.

Permit Operating Requirements Condition Number:

Required Action: The operating record must have all the specified records going back for at least 3 years, or if a general permit has covered the facility for less than 3 years, back to the date of initial coverage.

Emergency Spill Plan

327 IAC 15-15-16: (a) The permittee shall comply with the following: (1) Develop an emergency spill response plan. (2) Maintain the emergency spill response plan in the operating record, required under section 17 of this rule. (3) Implement the emergency spill response plan at any time a spill occurs. (4) Familiarize all employees involved with manure, litter, or process wastewater handling with the emergency spill response plan. (5) Maintain the emergency spill response plan at the permitted facility in a place accessible to all employees. (b) The emergency spill response plan must include the following: (1) The names and telephone numbers of persons who are identified by the owner or operator as responsible for implementing the emergency spill response plan. (2) Areas where potential spills can occur and the drainage points associated with the potential spills. (3) Procedures to be followed in the event of a spill, including the following: (A) Actions to contain or manage any spill of manure, litter, and process wastewater. (B) Mitigation of any adverse effects of the spill. (4) Identification of equipment and cleanup materials to be used in the event of a spill. (5) Procedures for reporting the spill to: (A) the facility owner and operator; (B) any applicable local emergency or health authorities; and (C) the department in accordance with 327 IAC 2-6.1.

327 IAC 15-15-17(a)(3): The current emergency spill response plan required under section 16 of this rule must be included and maintained in the operating record and updated.

Permit Operating Requirements Condition Number:

Required Action: The operating record must contain a spill plan and all required information must be included in the spill plan.

Farmstead Plan

327 IAC 15-15-17(a)(7): Farmstead plan required under subsection (e) must be included and maintained in the operating record and updated.

327 IAC 15-15-17(e): A farmstead plan must show all existing waste management systems and the following known features: (1) Residences (2) Surface waters of the state (3) Public and private roads (4) Water well locations (5) Land with the characteristics of karst terrain as identified in 327 IAC 16-2-21 (6) Drainage patterns (7) Property boundary line (8) All outfalls of known subsurface drainage structures (9) Drainage inlets, including water and sediment control basins. (10) Diversion of uncontaminated surface water.

327 IAC 15-15-17(f): The farmstead plan must be legible and either: (1) drawn to approximate scale; or (2) show specific distances between: (A) the waste management systems; and (B) the features in subsection (e) that are within five hundred (500) feet of the existing or proposed waste management system.

Permit Operating Requirements Condition Number:

Required Action: The operating record must contain a farmstead plan and all relevant features must be properly shown on the plan.

Storm Water Pollution Prevention Plan

327 IAC 15-15-18(a)(2): The owner or operator shall maintain the storm water pollution prevention plan in the operating record as required under section 17 of this rule.

327 IAC 15-15-18(b): The storm water pollution prevention plan shall: (1) Give a description of clean water diversion used at the facility for the production area, and any area which is directly related to animal production including waste and feed storage. (2) Describe and ensure implementation of practices to minimize and control pollutants in storm waste discharges associated with the following areas: (A) Immediate access roads and rail lines used or traveled by carriers of raw materials, waste material, or byproducts used or created by the facility. (B) Refuse sites. (C) Sites used for the storage and maintenance of material handling equipment. (D) Shipping and receiving areas. (3) Contain a monitoring plan that demonstrates the effectiveness of storm water pollution prevention practices.

Attachment 1- Stormwater Pollution Prevention Plan:

Required Action: A storm water pollution prevention plan must be included in the operating record.

SWPPP Contents

327 IAC 15-15-18(b)(1): The storm water pollution prevention plan shall give a description of clean water diversion used at the facility for the production area, and any area which is directly related to animal production including waste and feed storage.

327 IAC 15-15-18(b)(2): The storm water pollution prevention plan shall describe and ensure implementation of practices to minimize and control pollutants in storm waste discharges associated with the following areas: (A) Immediate access roads and rail lines used or traveled by carriers of raw materials, waste material, or byproducts used or created by the facility. (B) Refuse sites. (C) Sites used for the storage and maintenance of material handling equipment. (D) Shipping and receiving areas.

Attachment 1- Stormwater Pollution Prevention Plan:

Required Action: The Storm Water Pollution Prevention Plan must include relevant items listed in 327 IAC 15-15-18(b)(2).

SWPPP Monitoring Plan

327 IAC 15-15-18(b)(3): The storm water pollution prevention plan shall contain a monitoring plan that demonstrates the effectiveness of storm water pollution prevention practices.

Attachment 1- Stormwater Pollution Prevention Plan:

Required Action: The operating record must contain a monitoring plan and this plan must have been implemented to demonstrate the effectiveness of the Storm Water Pollution Prevention Plan.

Permit and Performance Standards

No Valid Approval

IC 13-18-10: A person may not start construction of a confined feeding operation without obtaining the prior approval of the department.

327 IAC 15-15-2: (a) This rule applies to all CAFOs or AFOs designated as CAFOs under 327 IAC 5-4-3(c) or 40 CFR 122.23(c), effective April 14, 2003, or AFOs electing to be subject to this rule, located within the boundaries of the state of Indiana. All CAFO owners or operators must seek permit coverage under this rule or through an individual NPDES permit except as provided in subsection (f). (b) Any owner or operator covered by this rule can request to be excluded from coverage

under this general permit rule by applying for and obtaining an individual NPDES permit. (c) An owner or operator excluded from this general permit rule solely because the owner or operator has a valid existing individual NPDES permit may request coverage under this general permit rule and revocation of the existing individual NPDES permit under 327 IAC 15-2-3, unless the owner or operator is required to maintain an individual permit. (d) A CAFO that has a general permit under this rule is not required to obtain or renew the CFO approval under 327 IAC 16-7. (e) If the commissioner requires an operation to have an individual NPDES permit under 327 IAC 5-4-3, the commissioner shall notify the owner or operator in writing that an individual NPDES permit application is required. The notice shall include the following: (1) A brief statement of the reasons for this decision. (2) An application form. (3) A statement setting a date by which the person must file the application. (4) A statement that on the effective date of the individual NPDES permit, the general permit rule, as it applies to the particular owner or operator, shall no longer apply. The commissioner may grant additional time upon request of the applicant for completion of the application. (f) An owner or operator of a large CAFO does not need to seek permit coverage under this rule or 327 IAC 5-4-3 if the owner or operator has received a notification from the commissioner of a determination that the CAFO has no potential to discharge in accordance with 327 IAC 5-4-3.1.

Permit Operating Requirements Condition Number:

Required Action: Obtain a valid approval for a site if it has more than the regulated number of animals or otherwise meets the requirements to obtain coverage under the NPDES program but does not already possess a valid permit.

Required Action: Immediately seek permit coverage under this rule or through an individual NPDES permit except as provided in subsection (f).

Access Denied

327 IAC 5-2-8(7): The permittee shall allow the commissioner, or an authorized representative (including an authorized contractor acting as a representative of the commissioner), upon the presentation of credentials and such other documents as may be required by law: (A) to enter upon the permittee's premises where a point source is located or where any records must be kept under the INDUSTRIAL WASTEWATER PRETREATMENT PROGRAMS AND NPDES Indiana Administrative Code Page 22 terms and conditions of the permit; (B) to have access to and copy at reasonable times any records that must be kept under the terms and conditions of the permit; (C) to inspect, at reasonable times: (i) any monitoring equipment or method; (ii) any collection, treatment, pollution management, or discharge facilities; or (iii) practices required or otherwise regulated under the permit; and (D) to sample or monitor, at reasonable times, any discharge of pollutants or internal wastestream (where necessary to ascertain the nature of a discharge of pollutants) for the purpose of evaluating compliance with the permit or as otherwise authorized.

327 IAC 15-4-1(l): (l) Persons regulated by this article shall allow the commissioner, or an authorized representative, (including an authorized contractor or representative of another governmental agency acting as a representative on behalf of the commissioner), at reasonable times, and in a manner to minimize disruption of the business, upon the presentation of credentials and such other documents as may be required by law, to: (1) enter upon the premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this article; (2) have access to and copy, at reasonable times, any records that must be kept under the conditions of this article; (3) inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this article; and (4) sample or monitor, at reasonable times, for the purposes of assuring compliance with the applicable general permit rule conditions or as otherwise authorized by the Federal Act, any substances or parameters at any location.

Permit Operating Requirements Condition Number:

Required Action: Upon presentation of credentials, the owner/operator must allow the inspector to enter the site to conduct inspections, provided the inspector follows appropriate biosecurity requirements.

Notice of Changes

327 IAC 15-4-3(a): Any change in the information submitted in the NOI letter should be reported as soon as practicable to the commissioner. Changes which are reasonably expected to alter the characteristics of the discharge regulated under a general permit rule must be reported prior to the change. Following such notice, the commissioner may request the person to submit an application for an individual NPDES permit.

327 IAC 15-15-5(g): Any change in the information submitted in the NOI should be reported as soon as practicable to the commissioner. Changes that are reasonably expected to alter the characteristics of the discharge from the operation regulated under a general permit rule must be reported prior to the change. Following such notice, the commissioner may request the person to submit an application for an individual NPDES permit.

327 IAC 15-15-9(g): The owner or operator shall give notice to the commissioner as soon as possible of any planned physical alterations or additions to the permitted facility when the alterations or additions would cause the facility to become a new source under 40 CFR 122.29(b), effective April 14, 2003.

327 IAC 15-15-9(h): The owner or operator shall give notice to the commissioner of any planned change in the permitted facility or activity that may result in noncompliance with the requirements of this rule.

Permit Operating Requirements Condition Number

Required Action: The owner/operator of a CAFO shall provide notice to IDEM of any changes in the information submitted in the NOI as soon as practicable. Changes that are reasonably expected to alter the characteristics of the discharge from the operation must be reported prior to the change.

Required Action: The owner/operator shall give notice, as soon as possible, of any planned changes that would cause the facility to become a "new source", which is when construction starts on a building, facility or installation from which there could be a discharge.

Permit Condition(s)

IC 13-18-10 A person may not start construction of a confined feeding operation without obtaining the prior approval of the department.

327 IAC 15-15-2 (a) This rule applies to all CAFOs or AFOs designated as CAFOs under 327 IAC 5-4-3(c) or 40 CFR 122.23(c), effective April 14, 2003, or AFOs electing to be subject to this rule, located within the boundaries of the state of Indiana. All CAFO owners or operators must seek permit coverage under this rule or through an individual NPDES permit except as provided in subsection (f). (b) Any owner or operator covered by this rule can request to be excluded from coverage under this general permit rule by applying for and obtaining an individual NPDES permit. (c) An owner or operator excluded from this general permit rule solely because the owner or operator has a valid existing individual NPDES permit may request coverage under this general permit rule and revocation of the existing individual NPDES permit under 327 IAC 15-2-3, unless the owner or operator is required to maintain an individual permit. (d) A CAFO that has a general permit under this rule is not required to obtain or renew the CFO approval under 327 IAC 16-7. (e) If the commissioner requires an operation to have an individual NPDES permit under 327 IAC 5-4-3, the commissioner shall notify the owner or operator in writing that an individual NPDES permit application is required. The notice shall include the following: (1) A brief statement of the reasons for this decision. (2) An application form. (3) A statement setting a date by which the person must file the application. (4) A statement that on the effective date of the individual NPDES permit, the general permit rule, as it applies to the particular owner or operator, shall no longer apply. The commissioner may grant additional time upon request of the applicant for completion of the application. (f) An owner or operator of a large CAFO does not need to seek permit coverage under this rule or 327 IAC 5-4-3 if the owner or operator has received a notification from the commissioner of a determination that the CAFO has no potential to discharge in accordance with 327 IAC 5-4-3.1.

Permit Operating Requirements Condition Number

Permit construction requirements for total animal capacity.

Permit construction requirement for number of confinement buildings.

Permit construction requirements for manure management structures.

Required Action: Obtain a valid approval for a site if it has more than the regulated number of animals or otherwise meets the requirements to obtain coverage under the NPDES program but does not already possess a valid permit.

Required Action: Immediately seek permit coverage under this rule or through an individual NPDES permit except as provided in subsection (f).

Required Action Within 30 days of the inspection reduce the number of animals to the capacity listed in the approval in permit construction requirements for total animal capacity.

Required Action Within 30 days of the inspection depopulate unapproved buildings and submitted a request to amend your permit.

Required Action Within 30 days of inspection cease the use of any unapproved manure management structure and submit a request to amend your permit.

Information/Comments

Land Application

Staging

327 IAC 15-15-4(b) Manure, litter, or process wastewater to be staged or applied to land in Indiana must be staged or applied in such a manner as: (1) not to enter or threaten to enter waters of the state; (2) to prevent: (A) run-off; (B) application on saturated ground; and (C) spills; and (3) to minimize nutrient leaching beyond the root zone.

327 IAC 15-15-10(i) Manure, litter, and process wastewater staging and land application activities shall be conducted in compliance with sections 4 and 11 through 14 of this rule and as follows: (1) Manure and litter that are staged at the application site for more than seventy-two (72) hours must be covered or otherwise protected and applied to the site within ninety (90) days. (2) Staging of solid manure or litter at the application site is prohibited: (A) within three hundred (300) feet of surface waters of the state, drainage inlets, including water and sediment control basins, or water wells unless there is: (i) a barrier; or (ii) a surface gradient that contains or directs any contaminated run-off away from the waters of the state, drainage inlets, including water and sediment control basins, or water wells; (B) on any area with a slope greater than six percent (6%), unless run-on and run-off is controlled; or (C) on any standing water or waterway.

Permit Operating Requirements Condition Number

Required Action Manure must be staged in such a manner as: (1) Not to enter the waters of the state (2) To prevent: (A) Run-off (B) Application on Saturated Ground; and (C) Spills; and (3) To minimize nutrient leaching beyond the root zone.

Required Action: Manure staged for more than 72 hours must be covered or otherwise protected. Also any staged manure must be applied within 90 days of initially being staged.

Information/Comments

Run-Off

327 IAC 15-15-4(b)(2)(A): Manure, litter, or process wastewater to be staged or applied to land in Indiana must be staged or applied in such a manner as to prevent run-off.

Permit Operating Requirements Condition Number:

Required Action: Manure must be staged and applied so as to prevent run-off.

Manure Applied to Saturated Soils

327 IAC 15-15-4(b)(2)(B): Manure, litter, or process wastewater to be staged or applied to land in Indiana must be staged or applied in such a manner as to prevent application on saturated ground.

327 IAC 15-15-12(h): Manure, litter, and process wastewater shall not be applied to saturated ground.

Individual Permit Condition Number:

Required Action: Manure must be applied so as to prevent application to saturated ground.

Required Action: Manure shall not be applied to saturated soils.

Manure Applied in Unsuitable Weather

327 IAC 15-15-10(d): Adequate storage shall be maintained to avoid land application when soil or weather conditions are unsuitable for land application or when land is occupied with crops and unavailable for land application. Land application when soil or weather conditions are unsuitable for land application is prohibited under this rule.

327 IAC 15-15-12(i): (i) When planning land application, the owner or operator must take into account the: (1) weather forecast and likelihood of precipitation events for the twenty-four (24) hour period before and after the application; and (2) site soil conditions; to assure that manure, litter, and process wastewater are not applied before a rain event that, when combined with soil conditions, would likely result in run-off.

Permit Operating Requirements Condition Number:

Required Action: Cease land applying manure when soil or weather conditions are unsuitable and would likely cause runoff.

Required Action: The owner/operator must take into account soil conditions and weather forecast 24 hours prior to and after planned application events to prevent run-off of manure litter or process wastewater.

Dead Animal Compost Properly Applied

327 IAC 15-15-10(h): Dead animal compost operations must have run-on and run-off control. Dead animal compost may be applied to the land if applied in accordance with the land application requirements in this rule. Disposal of dead animals must be handled in accordance with the rules of the board of animal health at 345 IAC 7-7-3.

Permit Operating Requirements Condition Number:

Required Action: Dead animal compost must be applied in accordance with agronomic rate; as specified in 327 IAC 15.

Nutrient analysis of compost must be determined prior to land application.

Follow Soil Conservation Practice Plan

327 IAC 15-15-11(a): Except as provided in subsection (b), any person with a facility subject to this rule must develop and implement a soil conservation practice plan for land application areas by February 27, 2009. The following milestones shall be met for the development and implementation of the plan by the owner or operator of the CAFO who: (1) Must identify the person who will develop the soil conservation practice plan by December 31, 2004. (2) Must have completed the soil conservation practice plan by February 27, 2009. (3) Must have implemented the soil conservation practice plan by February 27, 2009. (4) Shall report progress toward meeting each milestone in this section in the annual report required under section 9(b) of this rule.

327 IAC 15-15-11(b): For CAFOs that become subject to this rule after February 27, 2007, the requirement to develop and implement a soil conservation practice plan shall apply as of the date permit coverage commences. If a person is proposing to apply manure, litter, or process wastewater to snow-covered or frozen ground or to highly erodible land, a soil conservation practice plan must be developed and implemented in accordance with section 14 of this rule before the application. Any land subject to a land use agreement: (1) not owned or controlled by the CAFO owner or operator to which manure, litter, or process wastewater is applied; and (2) where the landowner does not implement conservation practices, as applicable under this rule; must be used in accordance with sections 10 and 12 through 14 of this rule.

327 IAC 15-15-11(c): All new sources, as defined in section 3 of this rule, must comply with this section upon the date of permit coverage under this rule.

Individual Permit Condition Permit Number

Required Action: The soil conservation practice plan must be developed and implemented by February 27, 2009.

Manure Application Setback

327 IAC 15-15-12(f): Except as otherwise provided under this section, application of manure, litter, and process wastewater must be in accordance with the following setbacks: 500 feet from public water supply wells and public water supply surface intake structures, 100 feet from surface waters of the state if less than or equal to 6% slope or residue cover, 200 feet from surface waters of the state if greater than 6% slope, 100 feet from sinkholes (measured from the surface opening or the lowest point) if less than or equal to 6% slope or residue cover, 200 feet from sinkholes (measured from the surface opening or the lowest point) if greater than 6% slope, 100 feet from wells if less than or equal to 6% slope or residue cover, 200 feet from wells if greater than 6% slope, 100 feet from drainage inlets if less than or equal to 6% slope or residue cover; 200 feet from drainage inlets if greater than 6% slope, and 50 feet from property lines and public roads. (1) All setback distances must be measured from the edge of the area of actual placement of manure, litter, or process wastewater on the land. (2) The property line setback distances specified in Table 1 may be waived in writing by the owner of the adjoining property. (3) The setback is the width of the filter strip if a properly designed and maintained filter strip of at least thirty-five (35) feet in width is located between the application site and any of the following: (A) Surface waters of the state. (B) Any known private well. (C) The surface opening or lowest point of any sinkhole. (D) Any drainage inlet, including water and sediment control basins. (4) The setback is ten (10) feet if a gradient barrier is located between the application site and any of the following: (A) Surface waters of the state. (B) Any known well. (C) The surface opening or lowest point of any sinkhole. (D) Any drainage inlet, including water and sediment control basins.

327 IAC 15-15-12(l): If noted in the CAFO general permit letter that a CAFO is land applying manure, litter, or process wastewater by injection or single pass incorporation, the CAFO must comply with the following setbacks: (1) Public water supply wells and public water supply surface intake structures: five hundred (500) feet. (2) Surface waters: fifty (50) feet. (3) Sinkholes: fifty (50) feet. (4) Wells: fifty (50) feet. (5) Drainage inlets: fifty (50) feet. (6) Property lines and public roads: ten (10) feet.

327 IAC 15-15-12(m): If noted in the CAFO general permit letter that a CAFO is land applying solid manure or litter by surface application followed by incorporation within twelve (12) hours, the CAFO must comply with the following setbacks: (1) Public water supply wells and public water supply surface intake structures: five hundred (500) feet. (2) Surface waters: fifty (50) feet. (3) Sinkholes: fifty (50) feet. (4) Wells: fifty (50) feet. (5) Drainage inlets: fifty (50) feet. (6) Property lines and public roads: ten (10) feet.

Permit Operating Requirements Condition Number:

Required Action Cease applying manure, litter or process wastewater inside the minimum setback distances and follow conditions specified in 327 IAC 15-15.

Information/Comments

Manure Applied from Roadway

327 IAC 15-15-12(g): Manure, litter, or process wastewater must not be applied to the land from manure application equipment operating on a public road.

Individual Permit Condition Permit Number:

Required Action: Manure cannot be applied from equipment operating from a public road.

Manure Improperly Applied to Erodible Soils

327 IAC 15-15-12(j): Manure, litter, and process wastewater must not be applied to highly erodible land unless the: (1) land is: (A) pastureland; or (B) planted in a cover crop that reduces or controls erosion; or (2) manure, litter, or process wastewater is applied in accordance with the soil conservation practice plan required under section 11 of this rule.

Individual Permit Condition Number:

Required Action: Cease apply manure to highly erodible soils except when complying with conditions specified in 327 IAC 15-15-12(j).

Field Tile Monitoring

327 IAC 15-15-12(k): Land application sites must be inspected to identify any field tile outlets under or immediately bordering the land application site. Visual monitoring of identified field tile outlets must occur during and immediately following land application of the manure, litter, or process wastewater. If there is evidence of manure or process wastewater discharging from the field tile outlet, the land application must cease immediately and the flow stopped or captured. Any flow that is captured shall be either land applied or returned to storage.

Individual Permit Condition Permit Number:

Required Action: Land application sites must be inspected to identify field tile outlets under or bordering the application site. Visual monitoring of identified outlets must be occurring during and immediately following land application. If there is evidence of waste discharging from an outlet, all application must cease immediately and the flow must be stopped or captured and either be properly land applied or returned to approved storage.

Spray Irrigation > Infiltration Rates

327 IAC 15-15-13(a): Spray irrigation of liquid manure and process wastewater must be conducted to prevent equipment leaks and excessive application. Application is deemed excessive when the application rate exceeds the infiltration rate of the soil where the application is occurring, expressed in inches per hour.

Individual Permit Condition Permit Number:

Required Action: Cease spray irrigation of liquid manure and process wastewater immediately and take measures to prevent excess infiltration rates during future land application events.

Spray Irrigation Operation

327 IAC 15-15-13(b): Application must be conducted: (1) under the constant supervision of a person; or (2) with devices to detect pressure loss due to leaks and devices to shut down the system if leaks are detected.

Individual Permit Condition Permit Number:

Required Action: Cease spray irrigation immediately if manure or process wastewater. During future land application events assure constant supervision by a person, or utilize equipment having properly functioning automatic pressure sensitive detection to shut down irrigation controls.

Spray Irrigation (<20" bedrock)

327 IAC 15-15-13(c): Manure and process wastewater must not be applied by spray irrigation to any land that has less than twenty (20) inches of soil above the bedrock.

Permit Operating Requirements Condition Number:

Required Action: Cease spray irrigation on ground with less than 20 inches of soil to bedrock.

Spray Irrigation (flood plain)

327 IAC 15-15-13(d): Spray irrigation in a flood plain is prohibited unless the following conditions are met: (1) The setback from surface water is increased to two hundred (200) feet. (2) Spraying is only done during months that the current county soil survey book indicates have a low potential for flooding. (3) There is no expectation of flooding, based on: (A) available weather forecast information; and (B) rainfall or flood conditions upstream within the drainage basin.

Permit Operating Requirements Condition Number:

Required Action: Cease spray irrigation in a flood plan. During future spray irrigation events follow conditions specified in 327 IAC 15-15-13(d).

Snow Covered/Frozen Ground

327 IAC 15-15-14: Surface application of manure, litter, or process wastewater to snow covered or frozen ground is prohibited unless the following conditions are met: (1) A soil conservation practice plan that includes land application to snow covered or frozen ground has been developed and implemented for the land application area. The plan must meet the following criteria:

(A) No application to land with a slope greater than two percent (2%), unless there is forty percent (40%) crop residue or vegetated crop cover on the land application site. (B) No application in a flood plain. (C) Application cannot be closer than two hundred (200) feet from any surface water body. (D) The application rate can be no more than a total of fifty percent (50%) of the agronomic rate, based on nitrogen, for each time period that the ground is frozen or snow covered. (2) The plan must identify the land application sites to be used during snow covered or frozen ground application.

Permit Operating Requirements Condition Number:

Required Action: Cease surface application to snow covered or frozen ground. During future manure & process wastewater application events implement a soil conservation practice plan (SCPP) includes provisions for application on snow or frozen ground.

Land Application Records

Land Application Records

327 IAC 15-15-4(h): For the land application areas of new source and existing dairy, veal, swine, poultry, cattle other than mature dairy cows, horse, sheep, duck, and heifer CAFOs, the following records must be maintained in the operating record for a period of five (5) years from the date of permit coverage: (1) Expected crop yields (2) The date or dates manure, litter, or process wastewater is applied to each field. (3) Precipitation events at the time of application and for twenty-four (24) hours prior to and following application. (4) Test methods used to sample and analyze manure, litter, process wastewater, and soil.

(5) Results from manure, litter, process wastewater, and soil sampling. (6) Explanation of the basis for determining manure, litter, and process wastewater application rates. (7) Calculations showing the total nitrogen and phosphorus to be applied to each field, including sources other than manure, litter, or process wastewater. (8) Total amount of nitrogen and phosphorus actually applied to each field, including documentation of calculations for the total amount applied. (9) The method used to apply the manure, litter, or process wastewater. (10) Date(s) of manure, litter, and process wastewater application equipment inspection. (11) USDA soil survey maps of currently available land application sites.

327 IAC 15-15-17(a)(9): Records required under sections 4 and 10 of this rule must be included and maintained in the operating record and updated.

Permit Operating Requirements Condition Number:

Required Action: Provide IDEM with copies of the farm operating records that go back 5 years from when your permit was issued.

Required Action: Provide IDEM with copies of the farm operating records that go back 5 years from when your permit was issued.

Required Action: Provide IDEM with copies showing the expected crop yields in each farm field where manure was applied.

Required Action: Provide IDEM with copies of records showing the dates where manure was applied.

Required Action: Provide IDEM with copies of records showing precipitation events 24 hours prior, during and 24 hours after each land application event.

Required Action: Provide IDEM with copies showing the test methods used to sample manure, litter and/or wastewater and/or soils where manure has been applied.

Required Action: Provide IDEM with copies of records showing self-inspections.

Required Action: Provide IDEM with copies of records showing weekly inspection records of the depth of manure in the liquid impoundment.

Required Action: Provide IDEM with copies of records showing the actions taken to correct deficiencies or why those known deficiencies were not addressed in a timely manner.

Required Action: Provide IDEM with copies of records showing how you managed your dead animals.

Required Action: Provide IDEM with copies of your plans depicting these items.

Required Action: Provide IDEM with copies of your records showing the date, time and your estimated of the overflow event that occurred.

Required Action: Provide IDEM with copies of your records showing your weekly self-monitoring inspections.

Information/Comments

Annual Manure Testing

327 IAC 15-15-12(a): CAFOs that are not new sources must conduct manure, litter, and process wastewater testing for nitrogen and phosphorus annually. Soil sampling and testing must be conducted at a minimum of once every three (3) years. Owners or operators may use the most recent data required under 327 IAC 16-7-11 to meet this requirement after the effective date of this rule.

327 IAC 15-15-12(b): CAFOs that are new sources must, as of the date of permit coverage, conduct manure, litter, and process wastewater testing for nitrogen and phosphorus prior to the first land application and annually thereafter. All CAFOs, except for new sources, shall conduct soil testing for phosphorus as of the date of permit coverage and once every three (3) years thereafter.

327 IAC 15-15-12(c): Owners or operators shall use the protocols listed in the NRCS 590 standard for sampling and testing of soil, manure, litter, and process wastewater.

327 IAC 15-15-17(a)(9): Records required under sections 4 and 10 of this rule must be included and maintained in the operating record and updated.

Permit Operating Requirements Condition Number:

Required Action: Provide IDEM with copies of records showing the amounts of nitrogen and phosphorus in your manure.

Required Action: Provide IDEM with copies of records showing the analysis of your soils test from each field where manure was applied.

Required Action: Provide IDEM copies of your records indicating the current phosphorus levels from each field where manure was applied.

Required Action: Please assure IDEM with a statement indicating that your future activities will include following the NRCS 590 standards for all future land application activities.

Information/Comments

Soil Testing

327 IAC 15-15-12(a): CAFOs that are not new sources must conduct manure, litter, and process wastewater testing for nitrogen and phosphorus annually. Soil sampling and testing must be conducted at a minimum of once every three (3) years. Owners or operators may use the most recent data required under 327 IAC 16-7-11 to meet this requirement after the effective date of this rule.

327 IAC 15-15-12(b): CAFOs that are new sources must, as of the date of permit coverage, conduct manure, litter, and process wastewater testing for nitrogen and phosphorus before the first land application and annually thereafter. All CAFOs,

except for new sources, shall conduct soil testing for phosphorus: (1) as of the date of permit coverage; and (2) once every three (3) years thereafter.

327 IAC 15-15-12(c): Owners or operators shall use the protocols listed in the NRCS 590 standard for sampling and testing of soil, manure, litter, and process wastewater.

327 IAC 15-15-17(a)(9): Records required under sections 4 and 10 of this rule must be included and maintained in the operating record and updated.

Permit Operating Requirements Condition Number:

Required Action: Submit to IDEM copies of sample results of manure, litter & process wastewater for ammonia/nitrogen. Place copies in farm operating record.

Apply at Agronomic Rate

327 IAC 15-15-12(d): CAFOs that are not new sources must adjust land application rates to conform with the NRCS 590 standard by February 27, 2009.

327 IAC 15-15-12(e): CAFOs that are new sources must, as of the date of permit coverage, be prepared to conform with land application rates based on the NRCS 590 standard for the first and all subsequent land application activities.

327 IAC 15-15-17(a)(9): Records required under sections 4 and 10 of this rule must be included and maintained in the operating record and updated.

Permit Operating Requirements Condition Number:

Required Action: Assure IDEM that you will base all your land application practices on phosphorus analysis results after February 27, 2009.

Required Action: Assure IDEM that you will base all your land application practices on phosphorus analysis results after February 27, 2009.

Marketing & Distribution

327 IAC 15-15-15: (a) The owner or operator shall provide an information sheet to any person that receives or purchases more than ten (10) cubic yards or two thousand (2,000) gallons of manure, litter, or process wastewater in a year from the CAFO unless the CAFO owner or operator takes responsibility for applying the manure, litter, and process wastewater. The owner or operator shall record all information required under section 17(a)(4) [of this rule] for each person who receives or purchases manure, litter, or process wastewater under this section and maintain the information in the operating record. (b) The information sheet must contain, at a minimum, the following information: (1) The name and address of the CAFO providing the manure. (2) A statement indicating that it is unlawful to allow the manure, litter, and process wastewater to enter any waters of the state. (3) Information on the nutrient content of the manure, litter, and process wastewater, based on the most current analysis. (4) The manure, litter, and process wastewater application requirements of this rule.

327 IAC 15-15-17(a)(4): The operating record must also contain, for five (5) years, all applicable records of any person who receives or purchases more than ten (10) cubic yards or two thousand (2,000) gallons of manure, litter, or process wastewater in a year to include: (A) the name and address of the person receiving or purchasing the manure, litter, or process wastewater; (B) the amount of manure, litter, or process wastewater received or purchased by the person; (C) a copy of the information sheet required under section 15 of this rule; and (D) the date or dates of the transfer.

Permit Operating Requirements Condition Number:

Required Action: Provide IDEM copies of your information sheets that contain the following information: (1) The name and address of the CAFO providing the manure. (2) A statement indicating that it is unlawful to allow the manure, litter, and process wastewater to enter any waters of the state. (3) Information on the nutrient content of the manure, litter, and process wastewater, based on the most current analysis. (4) The manure, litter, and process wastewater application requirements of this rule.

Information Sheets (as applicable)

327 IAC 15-15-15: (a) The owner or operator shall provide an information sheet to any person that receives or purchases more than ten (10) cubic yards or two thousand (2,000) gallons of manure, litter, or process wastewater in a year from the CAFO unless the CAFO owner or operator takes responsibility for applying the manure, litter, and process wastewater. The owner or operator shall record all information required under section 17(a)(4) [of this rule] for each person who receives or purchases manure, litter, or process wastewater under this section and maintain the information in the operating record. (b) The information sheet must contain, at a minimum, the following information: (1) The name and address of the CAFO providing the manure. (2) A statement indicating that it is unlawful to allow the manure, litter, and process wastewater to enter any waters of the state. (3) Information on the nutrient content of the manure, litter, and process wastewater, based on the most current analysis. (4) The manure, litter, and process wastewater application requirements of this rule.

Permit Operating Requirements Condition Number:

Required Action: Provide IDEM copies of your operating records that contain the following information: (A) The name and address of the person receiving or purchasing the manure, litter, or process wastewater; (B) The amount of manure, litter, or process wastewater received or purchased by the person; (C) A copy of the information sheet required under section 15 of

this rule; (D) The date or dates of the transfer.

Required Minimum Acreage

327 IAC 15-15-17(a)(5): Updated calculation of minimum acreage required to meet land application requirements under this rule must be included and maintained in the operating record and updated.

327 IAC 15-15-17(b)(1): Any acreage identified as part of the minimum required acreage for the application of manure, litter, or process wastewater that is not owned by the owner or operator of the CAFO must be documented in the operating record by land use agreements signed by the property owners on whose property the manure, litter, or process wastewater will be applied.

327 IAC 15-15-17(b)(3): The amount of minimum acreage required to be accessible for land application may be reduced based on the amount of manure marketed but may not be reduced to less than twenty-five percent (25%) of the minimum required amount based on the amount of manure generated annually.

Permit Operating Requirements Condition Number:

Required Action: Provide IDEM a copy of how you calculated your minimum acreage for land application of your manure.

Required Action: Provide IDEM with copies of the land use agreements you have with property owners whose ground is needed to make up the minimum requirements.

Required Action: Re-calculate the minimum land application acreage needed and provide IDEM with proof that you have no less than 25% of that amount in land available for land application that you own or have land use agreements with.

Setback Waivers

327 IAC 15-15-17(b)(2): Copies of any written waivers related to reduction of the property line setback distances by adjoining property owners must be kept in the operating record.

Permit Operating Requirements Condition Number:

Required Action: Provide IDEM with copies of adjacent property owner waivers. Cease applying closer than allowed setbacks to property line by law.

USDA Soil Survey Maps

327 IAC 15-15-17(c): A United States Department of Agriculture Natural Resources Conservation Service soil survey map of the facility and land application areas that clearly shows the following must be included and maintained in the operating record and updated: (1) The location of the waste management systems. (2) The boundaries of the property of the facility. (3) The boundaries of all land application areas.

Permit Operating Requirements Condition Number:

Required Action: Provide IDEM with copies of the maps indicating the location(s) of the waste management systems, and/or the boundary lines of the property, and/or the boundary lines of all the land application areas.

Soil Conservation Practice Plan

327 IAC 15-15-11(a): Except as provided in subsection (b), any person with a facility subject to this rule must develop and implement a soil conservation practice plan for land application areas by February 27, 2009. The following milestones shall be met for the development and implementation of the plan by the owner or operator of the CAFO who: (1) Must identify the person who will develop the soil conservation practice plan by December 31, 2004. (2) Must have completed the soil conservation practice plan by February 27, 2009. (3) Must have implemented the soil conservation practice plan by February 27, 2009. (4) Shall report progress toward meeting each milestone in this section in the annual report required under section 9(b) of this rule.

327 IAC 15-15-11(b): For CAFOs that become subject to this rule after February 27, 2009, the requirement to develop and implement a soil conservation practice plan shall apply as of the date permit coverage commences. If a person is proposing to apply manure, litter, or process wastewater to snow-covered or frozen ground or to highly erodible land, a soil conservation practice plan must be developed and implemented in accordance with section 14 of this rule before the application. Any land subject to a land use agreement: (1) not owned or controlled by the CAFO owner or operator to which manure, litter, or process wastewater is applied; and (2) where the landowner does not implement conservation practices, as applicable under this rule; must be used in accordance with sections 10 and 12 through 14 of this rule.

327 IAC 15-15-11(c): All new sources, as defined in section 3 of this rule, must comply with this section upon the date of permit coverage under this rule.

327 IAC 15-15-11(d): The soil conservation practice plan must: (1) be developed in accordance with NRCS conservation practice standards; and (2) specify, for each field receiving manure, litter, or process wastewater for land application, how to: (A) reduce soil erosion to a tolerable loss (T); and (B) minimize nutrient loss through leaching and run-off.

327 IAC 15-15-11(e): The soil conservation practice plan must contain the following: (1) A soil map clearly showing the specific fields subject to the conservation practices. (2) A description of the soil types present. (3) The slope of land application sites. (4) Identification of appropriate: (A) site-specific conservation practices to reduce soil erosion and control run-off of

pollutants; and (B) methods to minimize nutrient leaching. (5) If applicable, the following: (A) A plan for application of manure, litter, or process wastewater to frozen or snow-covered ground, as required under section 14 of this rule. (B) Identification of the following: (i) Land application sites for frozen or snow-covered ground application. (ii) Highly erodible land, as required under section 12(i) of this rule.

327 IAC 15-15-11(f): The soil conservation practice plan shall be kept with the operating record required under section 17 of this rule.

327 IAC 15-15-17(a)(8): The soil conservation practice plan required under section 11 of this rule must be included and maintained in the operating record and updated.

Permit Operating Requirements Condition Number:

Required Action: Provide IDEM the name of the person responsible for developing this soil conservation practice plan.

Required Action: Provide IDEM with a copy of the completed soil conservation practice plan.

Required Action: Provide assurance to IDEM that the soil conservation practice plan has been implemented.

Required Action: Cease land application activities on all ground (listed above) until a soil conservation practice plan has been implemented.

Required Action: Provide IDEM information as to how you have identified how to reduce soil erosion and minimize nutrient loss through leaching and run-off on these grounds.

Required Action: Provide IDEM copies of the maps depicting the following: (1) A soil map clearly showing the specific fields subject to the conservation practices. (2) A description of the soil types present. (3) The slope of land application sites. (4) Identification of appropriate: (A) Site-specific conservation practices to reduce soil erosion and control run-off of pollutants; and (B) Methods to minimize nutrient leaching. (5) If applicable, the following: (A) A plan for application of manure, litter, or process wastewater to frozen or snow-covered ground, as required under section 14 of this rule. (B) Identification of the following: (i) Land application sites for frozen or snow-covered ground application. (ii) Highly erodible land, as required under section 12(i) of this rule.

Inspection Documentation		
Photo's	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Maps	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Pollution Prevention Opportunities	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Contact by IDEM's OPPTA Requested	<input type="checkbox"/> Yes	<input type="checkbox"/> No
P2 Comments		
GPS Location Collected	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field Screening Conducted	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Lab Sample	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Inspection Results/Actions		
Deficiency/Violations		
Certificate of Compliance		
Additional Comments/Other		
Finalize Inspection		
Written Summary of Inspection		
Inspector Information	Printed/Typed Name	
	Phone Number:	
	Email Address:	
	Signature:	
Facility Representative Signature	Printed/Typed Name:	

	Signature:	
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